

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 04-10-14**

Date Published: October 7, 2004
For Work Week Commencing: October 11, 2004
Commission Meeting: October 14, 2004, 10:30 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

10:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest Services Corporation N2004.9.152 (Gary)

On September 14, 2004 Qwest Service Corporation (Qwest) filed a Petition for Waiver of Months to Exhaust/Utilization Threshold requirements set forth in the FCC's Number Resource Optimization Order, FCC 00-429 and FCC 01-362. A waiver of the FCC's requirements would allow Neustar, Montana's Pooling Administrator, to provide numbering resource to Qwest that have been requested in order for Qwest to satisfy a specific customer request from Stillwater Mining in Billings. The FCC allows for such a waiver of rules when there is a specific customer request. The waiver process ("safety valve process") is addressed in FCC 01-362, paras 57-66, which delegate waiver authority to state commissions.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2004.8.133 – Qwest – CLEC Forum – Discuss Agenda. (10/14/04)
2. D2003.1.14 –Western Wireless – Application for Designation as ETC – Discuss Draft Order. (10/14/04)
3. D2004.2.23, L-04.07.5-RUL – MITS and MTA – Petition for ETC Rulemaking – Discuss Draft Rules. (10/14/04)
4. D2004.3.46 – Energy West – Discuss/Act on Stipulated Agreement for Revenue Requirements. (10/14/04)
5. Draft Evaluation Criteria for NorthWestern Energy's Post-Bankruptcy Acquisition Proposals – Discuss and Act on Draft Document. (10/14/04)
6. NorthWestern Energy Bankruptcy – Placeholder to Report on and Get Direction on Any Matter Related to the Bankruptcy. (10/14/04)
7. L-04.07.4-RUL – PSC – Proposed Amendment to OSP Rules. (10/14/04)
8. L-04.07.6-RUL – PSC – Proposed Repeal of Municipal Utility Rules. (10/14/04)
9. **1:30 p.m.** - D97.7.91 – PacifiCorp – PacifiCorp Transition Plan. (10/14/04)

Other Meetings

10/14/04 8:30 a.m. – Northwest Power & Conservation Council - Briefing on Draft Fifth Regional Power Plan and Risk Analysis (Bollinger Room)

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be

submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

Information Items All items identified below are for information only.

New Filings Received in Past Week

N2004.10.161 – NorthWestern Energy – Request to Disconnect Utility Service
N2004.10.162 – Sprint – Price List Change